



Corona Virus and Family Feuds in Workers' Comp

By Marci De Vries

Last week we received our first requests for social media searches on Corona Virus illness fatalities from Workers' Comp adjusters, and we are eager to share what we have learned as potential red flags in these claims.

Because COVID-19 illness fatalities occur in younger adults within a matter of days, often estate planning is unclear at the time of death. While a normal fatality for a young adult would not present a complicated estate distribution, when a WC employer is involved suddenly the stakes are much higher.

Some of the social media searches we conducted for these claims involves family relationships exclusively. We spend our time verifying the names of spouses, dependents and proving the relationships between these people based on content that was posted prior to the illness.

In some instances, we have been alerted by adjusters that relatives have come out of the woodwork to claim WC benefits for the deceased when the deceased's employment profile does not indicate spouses or children. The age of dependent children is also critical to verify both in public records and in social media. This week we saw a 25-year-old dependent claim that he was 17 years old in order to enjoy increased Workers Comp benefits from his mother's death.

Adult children of blended families are particularly complicated to determine from an employment record. Using social media, it is possible in some instances to trace back over 10 years of content to determine the origin of the children and the status of the parents' relationship (Married/divorced/widowed).

In other cases, workers traveled January and February – some even took cruise vacations in this time frame. In this scenario it becomes unclear if the virus was contracted at the place of employment, or if the worker may have brought it with them as a souvenir from their travel.

Corona virus in workers' comp is going to be complicated and potentially expensive. Our advice is to use vendor partnerships and expertise to minimize risk wherever possible.